CWP No. 1726 of 2007

20.12.2007 Present: Mr. Dushyant Dadwal, counsel for the petitioner.

Mr. M.S. Chandel, Advocate General, with
Mr. R.M.Bisht, DAG, for respondents No. 1 to 4.

Mr. Dheeraj Sharma, counsel for respondents No. 5 & 6.

The petitioner was appointed as a drawing teacher in Government Senior Secondary School, Khaneol Bagra, Tehsil Karsog, District Mandi, H.P. by the P.T.A. after interview. Though the selection was made, the President of the PTA did not sign the appointment letter. Reply of the President of the PTA is that since the Model Code of Conduct has come into operation due to the elections of the H.P. State Assembly, he did not sign the letter of appointment. Model Code of Conduct came into operation w.e.f. 10th October, 2007. We are clearly of the view that the appointments by the P.T.A. do not fall under the purview of the Model Code of Conduct. Teachers appointed by the P.T.A. do not hold any civil post under the government. The Code of Conduct is not applicable to such cases. Therefore, the President of the PTA was not at all justified in not signing the letter of appointment. We, therefore, allow this writ petition and direct the President of the PTA to issue letter of appointment forthwith and latest by 31st December, 2007.

The writ petition is disposed of in the aforesaid terms.

(Deepak Gupta),J.

December 20, 2007(K) (V. K. Ahuja), J.